

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Friday, the Thirty First day of January Two Thousand Twenty

PRESENT

THE HON`BLE MR JUSTICE K. RAVICHANDRABAABU

WMP No.1074 of 2020

IN WP.NO.18908 OF 2019

1 THE MANAGING DIRECTOR [PETITIONER]
M/S.SHREE MOTHER PLAST INDIA PVT.LTD,
THIRUBUVANAI, PUDUCHERRY

VS

1 E.K.SANKAR [RESPONDENT]
NO.89 VETRI VINAYAGAR STREET,
KALITHERTHANKUPPAM VILLAGE,MADHAGADIPATTU
POST, PUDUCHERRY.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to direct the petitioner/Management to pay the Respondent / Workman his last drawn wages of Rs.13.029/- under section 17-B of the Industrial disputes Act IN WMP.NO.1074 OF 2020

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR. V.PORKODI, Advocate for the petitioner and of MR.JOHN ZACHARIAH, ADVOCATE on behalf of the Respondents the court made the following order:-

This Miscellaneous Petition is filed under Section 17-B of the Industrial Disputes Act for directing the Management to pay the petitioner/workman, his last drawn wage of Rs.13,029/- during the pendency of the present writ petition.

2. It is stated in the affidavit filed in support of the Miscellaneous Petition dated 24.01.2020 that the workman is not gainfully employed and that he is not having any income. In the counter filed by the Management, apart from dealing with the merits of the matter, though averred as if the workman owns a shop which deals with fancy products, no supportive materials are produced before this Court to substantial such contention. Therefore, this Court is left with no other option except to accept the contention raised by the workman that he is not gainfully employed elsewhere and order this Miscellaneous Petition.

3. Accordingly, this Miscellaneous Petition is allowed and the writ petitioner/ Management is directed to pay the respondent/ workman his last drawn wage from the date of filing of the writ petition. The arrears of such payment shall be made within a period of four weeks. Such payment shall be paid continuously during the pendency of the writ petition.

4. Post the writ petition after four weeks for final disposal.

-sd/-

31/01/2020

/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE INDUSTRIAL TRIBUNAL
CUM LABOUR COURT, PUDUCHERRY

C.C. to V.PORKODI Advocate on payment of necessary charges

The Government Advocate, High Court, Madras - 104.

Order

in
WMP.1074/2020

in

WP.NO.18908 OF 2019

Date :31/01/2020

From 26.2.2001 the Registry is issuing certified
copies of the Interim Orders in this format
VC (26/02/2020)

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